

12-8-04

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December 7, 2004

CERTIFICATE OF MAILING  
 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited  
 with the U.S. Postal Service as **Express Mail** in an envelope  
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12-7-04 *Glen E. Schumann*  
 Date Signature

Commissioner of Patents  
 P.O. Box 1450  
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Re: Application Number: 10/640,983  
 Filing Date: 08/14/2003  
 First Named Inventor: Bill Snelson  
 Art Unit: 3636  
 Examiner Name: Milton Nelson, Jr.  
 Attorney Docket Number: 44268.1

Dear Sir/Madam:

Enclosed herewith for filing in the United States Patent and Trademark Office is the Response to  
 Office Action dated November 19, 2004.

Please acknowledge receipt of the enclosed item on the enclosed self-addressed, stamped  
 postcard and return the postcard to us.

Should you have any questions, please contact the undersigned.

Sincerely,

MOSS & BARNETT,  
 A Professional Association

*Glen E. Schumann*  
 Glen E. Schumann

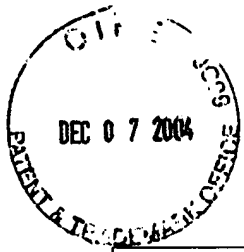
GES/lcj

Enclosures

cc: Mr. Bill Snelson (w/encl.)

730317v1

OF COUNSEL  
 THOMAS E. HARMS  
 ARTHUR J. GLASSMAN



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>INTERVIEW SUMMARY</b>	Application Number: 10/640,983
	Filing Date: 08/14/2003
CHEEK SEAT	First Named Inventor: Bill Snelson
	Group Art Unit: 3636
	Examiner: Milton Nelson, Jr.
	Attorney Docket No.: 44268.1
	Date of Interview: November 12, 2004
	Type of Interview: Telephonic
	Name of Participant's Attorney: Glen E. Schumann
	Exhibit Shown: None

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action of November 19, 2004, please amend the above-identified application as follows:

OFFICE ACTION

This is responsive to the communication dated November 19, 2004.

INTERVIEW SUMMARY RECORD

On or about November 12, 2004, applicant's counsel, Glen E. Schumann, contacted the Examiner, Milton Nelson, Jr. with respect to the aforementioned file.

In the Office Action of July 16, 2004, the Examiner indicated that claims 3-6 would be allowable if rewritten to overcome the 35 U.S.C. 112 rejections. The Examiner considered non-elected claim 6 since it was dependent from a claim that had been found to contain allowable subject matter. Non-elected claim 7 was withdrawn from further consideration.

Claims 1-7 had previously been subjected to a restriction requirement. Applicant had originally elected without traverse Group I, including claims 1-5. In responding to the July 16, 2004 Office Action, Applicant realized that withdrawn claim 7 was a Group I species. Applicant further realized that claim 6, allowed by the Examiner as dependent on allowed claim 3, was actually a Group II species (not originally elected).

Applicant's counsel contacted the Examiner for the purpose of pointing out that the independent claims 1, 2 and 3 were generic as to both Group I and Group II, that claim 6, conditionally allowed by the Examiner, should be permitted as a consistent Group II species claim dependent upon generic claim 3 (despite the fact that only Group I had originally been elected), and that claim 7 would be rewritten and reinserted as independent claim 8, incorporating all the limitations of allowed independent claim 3.


There was no exhibit shown or any demonstration conducted, nor any identification of specific prior art discussed. There was no agreement reached, as the Examiner had not received Applicant's response to the July 16, 2004 Office Action.

Applicant believes claims 1-6 and 8 are in condition for allowance.

Respectfully submitted,

GLEN E. SCHUMANN

By

  
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